

DEPARTMENT OF SOCIAL SERVICES

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Sacramento, CA 95814  
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November 18, 1983



ALL-COUNTY INFORMATION NOTICE I- 125-83

- TO: All County Welfare Directors  
All Public and Private Adoption Agencies  
All SDSS Adoption District Offices

SUBJECT: Waiver of Confidentiality of Adoption Records - Civil Code Section 230.6

REFERENCE:

The Adoptions Branch, Department of Social Services, has received many questions from public and private agencies about the waiver law, Civil Code 230.6, since it took effect January 1, 1983. This notice is to provide further clarification to supplement All County Information Notices I-20-83 and I-69-83 on the same subject.

1. Question: Must waivers be notarized?

Answer: Waivers must be notarized or signed before a representative of a licensed adoption agency who will complete Part B of the form.

2. Question: How do we identify the file from the waiver form?

Answer: To assist the Department or agency in locating the correct file, the person submitting the waiver should attach the following:

- a. If person is an adoptee, include birthdate and full names of each adoptive parent, including maiden name and middle names.
- b. If person is a birth parent, include child's name, birthdate, and birthplace; all names birth mother may have used, including maiden name, married name or other; and name of birth father, if known.
- c. If the person is an adoptive parent, include full names of each adoptive parent including maiden name and middle name, and name, birthdate, and birthplace of adoptee.

The Department is currently in the process of revising this form to incorporate this information. Until the revision has been completed and the new form is available for use, the above process should be followed.

3. Question: Is a waiver effective only if it is on the Department's waiver form?

Answer: A notarized letter which contains all information and signatures as required by the Department is acceptable. Additional identifying information indicated in answer 2 should be included.

4. Question: Does a waiver from one birth parent apply to both?

Answer: Waiver applies only to the birth parent who signed it.

5. Question: How is the phrase, "any living adoptive parent" interpreted?

Answer: It is interpreted to mean that any one living adoptive parent may send in a waiver.

6. Question: What happens if both adoptive parents are deceased?

Answer: Proof may be sent in, such as copies of death certificates or obituaries.

7. Question: Can siblings or other relatives send in waivers?

Answer: Yes. All waivers will be kept in the file in case current statutory provisions change to allow the Department to arrange the meeting of extended family members with adult adoptees. Present law provides for arranging contact only with adult adoptees and parents when the required waivers have been received.

8. Question: Can the Department or agency notify the adoptee, birth parent or the adopted parent that one of the parties has submitted a waiver?

Answer: Current statute states the Department or agency may arrange for contact among the parties after each has filed a written waiver. Neither the Department nor agency shall solicit, directly or indirectly, the execution of such waiver. Any person inquiring may be told of the waiver process. It is up to them whether they wish to send in a waiver or tell others.

9. Question: How does the waiver get into the appropriate adoption file?

Answer: If a waiver is received by the Department or any agency relating to an adoption completed by another agency, it is forwarded to the agency which completed the adoption. If the appropriate agency is not known, the Department will locate it through the Department's master index and forward the waiver to the correct agency. The State maintains files on independent adoptions and for most agencies which are no longer in business.

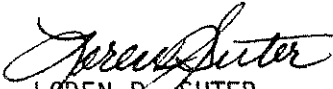
10. Question: If there is a "triad match", i.e. waivers received from the adult adoptee, a birth parent and any one living adoptive parent, how are contacts arranged?

Answer: Contacts are arranged through the Department or agency, whichever has the primary adoption file.

11. Question: Does California have a "registry"?

Answer: No. Waivers are filed in adoption records as received, but there is no separate "registry".

If you have any questions regarding this notice, please contact Sandy Richmond at (916) 323-0467.



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Adult and Family Services Division

cc: CWDA